

9. (Original) A phase shifter according to claim 1, further comprising:  
a conductive housing covering the phase shifter.
10. (Currently amended) A phase shifter according to claim 1, wherein the tunable dielectric is selected from the group consisting of: ~~film comprises one of the group of:~~  
barium strontium titanate ( $\text{Ba}_x\text{Sr}_{1-x}\text{TiO}_3$ , BSTO, where x is less than 1), BSTO-MgO, BSTO-MgAl<sub>2</sub>O<sub>4</sub>, BSTO-CaTiO<sub>3</sub>, BSTO-MgTiO<sub>3</sub>, and BSTO-MgSrZrTiO<sub>6</sub>[,], ~~and combinations thereof.~~

Cancel claims 11 – 13.

### **REMARKS**

Reconsideration of this application is respectfully requested in light of the above amendments and following remarks. Claims 1 – 10 remain in the application and claims 11 – 13 have been cancelled without prejudice or disclaimer. Applicant believes that all objections have been address with the exception of request for amendment of claim 1 to include the language “, wherein the coplanar waveguide” between “film” and “comprises”. Applicant submits that the insertion would make the claims grammatically incorrect and inaccurate. However, the Examiner is invited to call Applicant to work out language acceptable to the Examiner.

Regarding the drawing correction request for FIG. 5, Applicant has amended the specification to remove the description of electrodes 82 and 84 extending around the edges of the wageguide.

### **CONCLUSION**

It is respectfully submitted that, in view of the foregoing amendment and remarks, the

**PATENT**

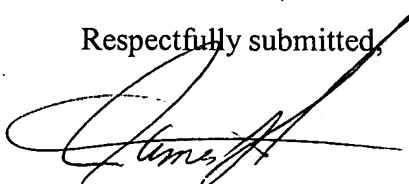
**Serial No. 10/646,018**

**,Docket No. JSF01-0054D1/WJT08-0005D1**

application is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 502697. The Examiner is invited to contact the undersigned at 202-607-4607 to discuss any matter regarding this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James S. Finn", written over a horizontal line.

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Date: 11-24-04

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**PATENT**

**Serial No. 10/646,018**

**,Docket No. JSF01-0054D1/WJT08-0005D1**

**INVENTOR**

**Andrey Kozyrev**

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